

SIXTY-SIXTH DAY
(Continued)
(Thursday, May 16, 1991)

AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Haley.

MESSAGE FROM THE HOUSE

House Chamber
May 16, 1991

HONORABLE BOB BULLOCK
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 1820, Relating to creation of an offense concerning speed limits required by federal law.

H.B. 2036, Relating to minimum standards for Medicare supplement policies.

H.B. 2136, Relating to a plan for the advancement of science and technology and industrial development in the state.

H.B. 2158, Relating to fees charged to and by a notary public.

H.B. 769, Relating to the accrual of interest on unpaid child support.

H.B. 1973, Relating to institutional income, expenditures, and obligations of public institutions of higher education.

H.B. 2868, Relating to the election, from single-member districts, of the governing body of a municipality with a population of 250,000 or more.

H.B. 131, Relating to the liability of certain governmental units and certain governmental employees and officers.

H.B. 962, Relating to safety requirements for outdoor shooting ranges; providing penalties.

H.B. 2287, Relating to the authority of the State Department of Highways and Public Transportation to enter private property to perform certain state purposes.

H.B. 1814, Relating to changes in the administration of taxes by the comptroller.

H.B. 2345, Relating to certain criminal records maintained by the Department of Public Safety.

H.B. 2595, Relating to the imposition, rate, administration, and collection of taxes on certain drug dealers.

H.B. 2034, Relating to the classification of certain felony offenses and to the establishment of a work program operated by the institutional division of the Texas Department of Criminal Justice to punish persons convicted of those offenses and benefit the state and its political subdivisions.

H.B. 1368, Relating to a commercial lessor's license under the Bingo Enabling Act.

H.B. 263, Relating to the spousal exemption from prosecution for sexual assault.

H.B. 1657, Relating to the punishment for certain assaults involving offensive or provocative physical contact.

H.B. 784, Relating to the eligibility of certain product demonstrators for unemployment compensation benefits.

Respectfully submitted,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Green submitted the following report for the Committee on Jurisprudence:

C.S.H.B. 1431

C.S.H.B. 555

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Haley in Chair) announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time and passed: (Vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill.)

C.S.S.B. 250 (Turner) Relating to membership on the medical advisory committee appointed by the Texas Workers' Compensation Commission. (31-0) (31-0)

C.S.S.B. 374 (Dickson) Relating to the confidentiality of certain orders of the credit union department and copies of notices and correspondence relating to those orders. (31-0) (31-0)

S.B. 936 (Green) Relating to an exemption from registration requirements for the retail sale of certain fire alarms or fire detection devices. (31-0) (31-0)

C.S.S.B. 962 (Ellis) Relating to automobile auction companies which provide vehicle transportation services. (31-0) (31-0)

S.B. 1083 (Ellis) Relating to the presence of a court reporter during the testimony of children in designated cases using closed circuit television. (31-0) (31-0)

C.S.S.B. 1336 (Krier) Relating to medical, dental, or health services provided to indigent prisoners in county jails. (31-0) (31-0)

S.B. 1416 (Brooks) Relating to the responsibilities of governing boards. (31-0) (31-0)

S.B. 1498 (Sims) Relating to the creation, administration, powers, duties, operation, and financing of the West Texas Underground Water Conservation District. (31-0) (31-0)

H.B. 37 (Dickson) Relating to prohibited practices concerning taxicab fares; providing a penalty. (31-0) (31-0)

H.B. 43 (Zaffirini) Relating to crime statistics and security measures at public and private institutions of higher education. (31-0) (31-0)

H.B. 148 (Turner) Relating to court procedure and administration in Wharton County. (31-0) (31-0)

C.S.H.B. 166 (Sims, on behalf of Haley) Relating to a prohibition on requiring certain judges to collect a predetermined amount of revenue from convictions for traffic offenses. (31-0) (31-0)

H.B. 180 (Brown) Relating to a seal for justice courts and for small claims courts. (31-0) (31-0)

H.B. 219 (Sims) Relating to a county auditor employed jointly by two or more counties acting as the purchasing agent for those counties. (31-0) (31-0)

H.B. 233 (Sims, on behalf of Haley) Authorizing the State Department of Highways and Public Transportation and the Texas Department of Public Safety to dispose of certain records. (31-0) (31-0)

H.B. 338 (Barrientos) Relating to programs to increase the participation of minority businesses in contract awards of certain home-rule municipalities. (31-0) (31-0)

H.B. 376 (Green) Relating to delinquent conduct. (31-0) (31-0)

C.S.H.B. 377 (Sims) Relating to the punishment for the offense of hindering apprehension or prosecution. (31-0) (31-0)

C.S.H.B. 396 (Sims) Relating to the tax rate, board of directors, and dissolution of the Sutton County Hospital District. (31-0) (31-0)

H.B. 426 (Ellis) Relating to notification concerning certain permits issued by the Texas Department of Health, the Texas Water Commission, and the Texas Air Control Board. (31-0) (31-0)

H.B. 509 (Moncrief) Relating to a filing fee for a write-in candidate in the general election for state and county officers. (31-0) (31-0)

H.B. 622 (Barrientos) Relating to proof of insurance for certain lenders. (31-0) (31-0)

H.B. 628 (Green) Relating to the duties of public school attendance officers. (31-0) (31-0)

H.B. 650 (Dickson) Relating to the definition of "benefit year" under the Texas Unemployment Compensation Act. (31-0) (31-0)

H.B. 676 (Green) Relating to notice requirements for regular meetings of a water control and improvement district. (31-0) (31-0)

H.B. 683 (Sims, on behalf of Haley) Relating to eligibility of dependents for coverage under the Texas Employees Uniform Group Insurance Benefits Act. (31-0) (31-0)

H.B. 693 (Zaffirini) Relating to arson investigators as peace officers. (31-0) (31-0)

H.B. 776 (Harris of Tarrant) Relating to the citizenship status of persons certified to teach in the State of Texas. (31-0) (31-0)

H.B. 897 (Glasgow) Relating to evaluation of certain programs for the prevention or treatment of child abuse or neglect. (31-0) (31-0)

H.B. 954 (Lyon) Relating to certain obsolete provisions addressing health and safety standards in some eleemosynary institutions; repealing Section 13.001, Health and Safety Code; and declaring an emergency. (31-0) (31-0)

H.B. 1192 (Brown) Relating to notification of amendments to water quality standards for the water in the state. (31-0) (31-0)

C.S.H.B. 1246 (Green) Relating to accelerated payment of certain benefits under group term life insurance policies. (31-0) (31-0)

H.B. 1340 (Brown) Relating to the authority of the Angleton-Danbury Hospital District to provide office facilities for staff physicians and granting the authority to issue bonds. (31-0) (31-0)

H.B. 1354 (Lucio) Relating to the jurisdiction of the county courts at law in Cameron County. (31-0) (31-0)

H.B. 1432 (Krier) Relating to the student union building fees at The University of Texas at San Antonio. (31-0) (31-0)

H.B. 1882 (Brown) Relating to the authority of the Board of Directors of the Angleton-Danbury Hospital District to contract for management and consulting services. (31-0) (31-0)

H.B. 1902 (Sims) Relating to the sale of beer for use in food products. (31-0) (31-0)

C.S.H.B. 1941 (Henderson) Relating to the regulation of certain motor vehicle dealers and the sale, titling, and registration of certain motor vehicles. (31-0) (31-0)

H.B. 1966 (Brown) Relating to the confiscation and disposition of certain motorboats used to commit certain fishing offenses. (31-0) (31-0)

H.B. 2049 (Harris of Tarrant) Relating to the authority of the Dallas County Flood Control District No. 1 to enter into a tax abatement and to designate a reinvestment zone. (31-0) (31-0)

H.B. 2063 (Whitmire) Relating to the use of the county general fund or officers' salary fund to purchase liability insurance for county officers and employees. (31-0) (31-0)

H.B. 2103 (Rosson) Relating to authorizing the Rio Grande Compact Commissioner for Texas to negotiate with the Rio Grande Compact Commissioner for New Mexico to determine an appropriate share of local support matching funds to be paid by the state for the study, development, and construction of flood control and sediment control dams and for the rehabilitation of the Rio Grande floodway above the Elephant Butte Reservoir. (31-0) (31-0)

H.B. 2503 (Green) Relating to the increase in civil penalties for violation of pipeline safety standards. (31-0) (31-0)

H.B. 2542 (Brown) Relating to establishment of a trade zone in Harris County adjacent to the National Aeronautics and Space Administration facilities. (31-0) (31-0)

Senator Brown offered the following committee amendment to the bill:

Amend **H.B. 2542** as follows:

Amend Section 1, page 1, line 9 by inserting the words "or any cities or counties located within a five mile radius of a major space and aeronautics center" between the words "Harris" and "is"

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Brown and by unanimous consent, the caption was amended to conform to the body of the bill.

**CONCLUSION OF SESSION FOR LOCAL AND
UNCONTESTED BILLS CALENDAR**

The Presiding Officer (Senator Haley in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 163 - (Turner): Honoring the Texas Special Olympics of 1991.

H.C.R. 179 - (Moncrief): Designating the week of June 30-July 6, 1991, and the week of June 30-July 6, 1992, as Patriotism Week in Texas.

S.R. 737 - By Tejeda: Extending best wishes to beloved educator and coach Mrs. Irene Thompson on her retirement after 26 years of distinguished service in the San Antonio Independent School District.

S.R. 738 - By Rosson: Honoring the Retired Senior Volunteer Program Environmental Volunteers for their exceptional contributions to the citizens of Texas and the nation.

S.R. 739 - By Ellis: Extending congratulations to Mr. and Mrs. Clarence Alton West of Houston on the birth of their first child, Coby Rachel West.

S.R. 740 - By Ellis: Honoring John L. Hall for his recent appointment to the Texas Water Commission.

S.R. 741 - By Tejeda: Recognizing Mr. Valree Thompson for his 10 years of loyal service as a school teacher at Douglass Elementary in San Antonio.

S.R. 742 - By Brooks: Welcoming the Parker Elementary Magnet School Performing Violins and Cellos ensemble.

S.R. 743 - By Bivins: Extending congratulations to Marvin and Janet Urbanczyk of White Deer for being selected as Small Business Persons of the Year for the State of Texas.

S.R. 746 - By Lyon: Honoring Mrs. Vernon Henretta Prince Stanton on the occasion of her 100th birthday.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 8:23 a.m. adjourned, in memory of M. Harvey Weil of Corpus Christi, until 11:00 a.m. today.

APPENDIX

Sent to Governor
(May 15, 1991)

S.C.R. 52
S.C.R. 137
S.C.R. 139
S.B. 38
S.B. 116
S.B. 187
S.B. 312
S.B. 346
S.B. 356
S.B. 366
S.B. 406
S.B. 481

S.B. 595
S.B. 603
S.B. 654
S.B. 687
S.B. 764
S.B. 825
S.B. 870
S.B. 1058

SIXTY-SEVENTH DAY
(Thursday, May 16, 1991)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims, Tejeda, Truan, Turner, Whitmire, Zaffirini.

Absent-excused: Glasgow.

A quorum was announced present.

Father Donald J. Sawyer, Our Lady's Maronite Catholic Church, Austin, offered the invocation as follows:

Glory be to the Father and to the Son and to the Holy Spirit, now and forever. Amen.

O Lord, we praise You: for You are the provider of Your servants; we thank You: for You are the sustainer of Your creatures; we adore You: for You are the dispenser of blessings through Jesus, our Lord.

Our Lord Jesus Christ is the peace of all creation. He willed that all people live in peace. May He remove from your midst hostility and envy, harshness, ill-will, and anger. May He fill your hearts with kindness and all blessings. May He bestow upon you a mind that loves peace and rejects hatred all the days of your life. May He grant this in His grace: Father, Son and Holy Spirit, now and forever. Amen.

O Lord, save Your people, and bless Your inheritance. Feed them, and carry them forever. (Ps. 28:9)

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Brooks.

CO-SPONSORS OF HOUSE BILL 124

On motion of Senator Brown and by unanimous consent, Senators Green, Lyon and Whitmire will be shown as Co-sponsors of H.B. 124.